PTO/SB/05 (03-01) Approved for use through 10/31/2002 OMB 0651-0032

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**TRANSMITTAL** (Only for new nonprovisional applications under 37 CFR 1.53(b))

UTILITY PATENT APPLICATION

Attorney Docket No. First Inventor		TCS-414.2P US-1		
		Thomas		
Title	PLASMID-BASED VAC	CINE FOR TREATING ATHEROSCLEROSIS		
Expres	ss Mail Label N	o. EL164335092US		

Chily for hew floriprovisiona	rapplications under 31 Gr (1:00(b))					
APPLICAT	ION ELEMENTS	ADDF	RESS $TO$ : Box P	atent App	licatio	
See MPEP chapter 600 conce	rning utility patent application contents	s.		ington, D		
1.	m (e.g., PTO/SB/17) plu are for fee processing) hall entity status.  [Total Pages 51]  If the invention to Related Applications ding Fed sponsored R & D uence listing, a table, begram listing appendix he Invention of the Invention of the Drawings (if filed) hisclosure	7. 8. Nucle (if a) a. b. S	CD-ROM or CD-R in or Computer Program (Acceptate and/or Amino Acceptate and/or	duplicate, uppendix) d Sequen Form (CI isting on: CD-R (2 c) Gover shiement issignee)	large to ce Sulface Su	table or omission  ), or ve copies  N PARTS document(s)) Power of Attorney opticable)
					Copies of IDS	
Copy from a	Copy from a prior application (37 CFR 1.63 (d))  Return Receipt Postcard (MPEP 503)					ĺ
	DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s)  15. Certified Copy of Priority Document(s) (if foreign priority is claimed)					
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  16. Nonpublication Request under (b)(2)(B)(i). Applicant must atta or its equivalent.				er 35 l ttach fo	J.S.C. 122 orm PTO/SB/35	
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:    X   Continuation   Divisional   Continuation-In-part (CIP)   of prior application No   09   171,969						
	19. CORRESPO					
Customer Number or Bar Co	de Label President Marie Continue Conti	ch bar code label he	or 🗶	Correspond	dence ad	dress below
Name	Leon R. Yankwich, Esq.					
	YANKWICH & ASSOCIA	ATES				
Address	130 Bishop Allen Drive					
City	Cambridge	State	MA	Zip C	Code	02139
Country	U.S.A.	Telephone	(617) 491-4343	Fa	ax	(617) 491-8801
Name (Print/Type)	Thomas R. Berka, Ph.D.	. Reg	istration No. (Attorne	//Agent)	39,6	306
Signature	Thomas K. K.	_		Date	Apı	ril 30, 2001

Burden Hour Statement. This form is estimated to take 0.2 hours to complete Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

COMPANY.

# **FEE TRANSMITTAL** for FY 2001

Patent fees are subject to annual revision

435.00 TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known			
Application Number	(not yet assigned)		
Filing Date	(concurrently herewith)  Thomas  (not yet assigned)		
First Named Inventor			
Examiner Name			
Group Art Unit	(not yet assigned)		
Attorney Docket No.	TCS-414.2 P US-1		

METHOD OF PAYMENT	FEE CALCULATION (continued)					
1. X  The Commissioner is hereby authorized to charge indicated fees and credit any overnaments to	3. ADDITIONAL FEES					
Deposit	Large Small					
Account Sumber 50-0268	Entity Entity Fee Fee Fee Fee Fee Pa	id.				
Denceit	Code (\$) Code (\$)					
Account Name Yankwich & Associates	105 130 205 65 Surcharge - late filing fee or oath	$\dashv$				
Charge Any Additional Fee Required Under 37 CFR 1 16 and 1 17	127 50 227 25 Surcharge - late provisional filing fee or cover sheet	$\dashv$				
Applicant claims small entity status	139 130 139 130 Non-English specification	$\dashv$				
See 37 CFR 1 27	147 2,520 147 2.520 For filing a request for ex parte reexamination	_				
2. X Payment Enclosed:	112 920* 112 920* Requesting publication of SIR prior to Examiner action					
Check Credit card Money Other  FEE CALCULATION	113 1,840* 113 1,840* Requesting publication of SIR after Examiner action					
	115 110 215 55 Extension for reply within first month					
1. BASIC FILING FEE	116 390 216 195 Extension for reply within second month	$\Box$				
Large Entity Small Entity Fee Fee Fee Fee Description	117 890 217 445 Extension for reply within third month	_				
Code (\$) Code (\$) Fee Paid	118 1,390 218 695 Extension for reply within fourth month					
101 710 201 355 Utility filing fee 355.00	128 1,890 228 945 Extension for reply within fifth month					
106 320 206 160 Design filing fee	119 310 219 155 Notice of Appeal					
107 490 207 245 Plant filing fee  108 710 208 355 Reissue filing fee	120 310 220 155 Filing a brief in support of an appeal					
108 710 208 355 Reissue filing fee  114 150 214 75 Provisional filing fee	121 270 221 135 Request for oral hearing					
114 150 214 75 Flovisional family fee	138 1,510 138 1,510 Petition to institute a public use proceeding					
SUBTOTAL (1) (\$) 355.00	140 110 240 55 Petition to revive - unavoidable	_				
2. EXTRA CLAIM FEES	141 1,240 241 620 Petition to revive - unintentional					
Fee from Extra Claims below Fee Paid	142 1,240 242 620 Utility issue fee (or reissue)	_				
Total Claims 19 -20** = 0 X 9 = 0.00	143 440 243 220 Design issue fee					
Independent 5 - 3** = 2 X 40 = 80.00	144 600 244 300 Plant issue fee					
Multiple Dependent 270 = 0.00	122 130 122 130 Petitions to the Commissioner	-				
	123 130 123 130 Petitions related to provisional applications	$\dashv$				
Large Entity Small Entity Fee Fee Fee Fee Fee Description	126 180 126 180 Submission of Information Disclosure Stmt	$\dashv$				
Code (\$) Code (\$)	581 40 581 40 Recording each patent assignment per	ĺ				
103 18 203 9 Claims in excess of 20	property (times number of properties)	$\dashv$				
102 80 202 40 Independent claims in excess of 3 104 270 204 135 Multiple dependent claim, if not paid	146 710 246 355 Filing a submission after final rejection (37 CFR § 1.129(a))					
104 270 204 135 Multiple dependent claim, if not paid  109 80 209 40 ** Reissue independent claims over original patent	149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))					
110 18 210 9 ** Reissue claims in excess of 20	179 710 279 355 Request for Continued Examination (RCE)					
and over original patent	169 900 169 900 Request for expedited examination of a design application					
SUBTOTAL (2) (\$) 80.00	Other fee (specify)					
**or number previously paid, if greater, For Reissues see above	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 00.00	)				

SUBMITTED BY			Complete (if applicable)		
Name (PrintlType)	Thomas R. Berka, Ph.D.	Registration No Attorney/Agent)	39,606	Telephone	(617) 491-4343
Signature	Thomas R. Link	ı		Date	April 30, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas, Lawrence J.

Serial No.:

(not yet assigned)

ART UNIT:

Filed:

(concurrently herewith)

**EXAMINER:** 

Entitled:

PLASMID-BASED VACCINE FOR TREATING ATHEROSCLEROSIS

Continuation of U.S. Appln. Ser. No. 09/171,969 Attorney Docket No.: TCS-414.2P US-1

# **Box Patent Application**

Asst. Commissioner for Patents Washington, D.C. 20231

## UTILITY PATENT APPLICATION TRANSMITTAL

Continuation of U.S. Appln. Ser. No. 09/171,969

Prior Examiner: D. Nguyen Prior Unit: 1633

- 1. Fee Transmittal form PTO/SB/17 (in duplicate).
- 2. Utility Patent Application Transmittal form PTO/SB/05.
- 3. Copy of prior application specification of <u>51</u> pages (including Abstract of the Disclosure).
- 4. Copies of Formal Drawings 10 pages.
- 5. Copy of oath/declaration (pursuant 37 CFR §1.63(d)) and power of attorney filed in parent application.
- 6. Copy of Recorded Assignment.
- 7. Sequence Listing:
  - (a) computer readable form (CRF), (b) paper copy, and (c) statement under 37 CFR 1.821(f).
- 8. Preliminary Amendment.
- 9. Return receipt post card.
- 10. Check No. 3484 in the amount of \$ 435.00 to cover the application filing fee.

Respectfully submitted,

Thomas R. Berka, Ph.D.; Registration No. 39,606

Leon R. Yankwich; Registration No. 30,237

Attorneys for Applicant

YANKWICH & ASSOCIATES

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# CERTIFICATE OF MAILING BY "EXPRESS MAIL"

The undersigned hereby certifies that this correspondence listed above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10, postage prepaid, Express Mailing Label No. EL 164335092 US, in an envelope addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on the date indicated below.

Hyphanu J. Reicht

Stephanie L. Leicht